

By: Ellis

S.B. No. 135

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation and publication of cancer incidence maps
3 by the Department of State Health Services.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 82, Health and Safety Code, is amended by
6 adding Section 82.0051 to read as follows:

7 Sec. 82.0051. CANCER INCIDENCE MAPS. (a) The department
8 shall collect and develop statistical data on the incidence of
9 particular types of cancer in the state and shall plot this data on
10 computer-generated cancer incidence maps.

11 (b) The department shall establish and maintain a
12 computerized mapping system for plotting the incidence of each type
13 of cancer reported. In plotting incidences of cancer, the
14 department shall employ a spatial filter or other statistical
15 method to detect statistical anomalies and identify cancer
16 clusters. The department shall plot incidences of cancer by census
17 block, as recognized by the United States Census Bureau, except
18 that if the board determines that plotting by this method could make
19 it possible to identify a particular individual with cancer, the
20 department shall aggregate census blocks to protect the
21 individual's identity.

22 (c) The department shall:

23 (1) post the cancer incidence maps on its Internet
24 website and make the maps available to the public by other means the

1 department considers appropriate; and

2 (2) annually update the maps.

3 (d) The department shall submit a quarterly report to the
4 governor, the lieutenant governor, and the speaker of the house of
5 representatives that includes:

6 (1) the current status of data entry into the mapping
7 system required under Subsection (b);

8 (2) information remaining to be gathered or entered
9 into the mapping system; and

10 (3) progress in using the mapping system to identify
11 cancer clusters.

12 SECTION 2. Section 82.007(a), Health and Safety Code, is
13 amended to read as follows:

14 (a) The department shall publish an annual report to the
15 legislature of the information obtained or created under this
16 chapter.

17 SECTION 3. (a) Not later than the 180th day after the
18 effective date of this Act, the department shall submit an initial
19 report to the legislature. The department shall make a draft of the
20 report available to the public for review and comment not later than
21 the 30th day before the day the report is submitted to the
22 legislature. The report must include:

23 (1) the scientific strengths and limitations of
24 statistical cancer incidence mapping as related to cancer
25 recognition, prevention, cure, or control;

26 (2) the appropriate use and publication of cancer
27 incidence maps; and

1 (3) the implementation of safeguards to prevent misuse
2 of cancer incidence mapping, including:

3 (A) collecting background data that ensures the
4 accuracy of reported cancer diagnoses;

5 (B) identifying the appropriate uses of the
6 mapping; and

7 (C) ensuring the confidentiality of all
8 individual medical data.

9 (b) Not later than the 90th day after the date the initial
10 report is submitted under Subsection (a) of this section, the
11 department shall post on its Internet website maps that show the
12 incidences of:

13 (1) lung cancer; and

14 (2) breast cancer.

15 (c) Not later than the 180th day after the date the maps are
16 posted under Subsection (b) of this section, the department shall
17 post on its Internet website maps that show the incidences of:

18 (1) colorectal cancer;

19 (2) prostate cancer; and

20 (3) all types of cancer in the aggregate.

21 SECTION 4. This Act takes effect September 1, 2009.